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* SEP 30 2008*

EASTERN DISTRICT COORT	BROOKLYN OFFICE	
IN RE: HOLOCAUST VICTIM ASSETS LITIGATION	X : Case No. CV 96-4849 (ERK)(MDG) : (Consolidated with CV 96-5161 : and CV 97-461)	
This Document Relates to: All Cases	MEMORANDUM & ORDER	
	x x	

MEMORANDUM & ORDER APPROVING SET 174: 15 AWARD AMENDMENTS CERTIFIED BY THE CLAIMS RESOLUTION TRIBUNAL PURSUANT TO ARTICLE 31(2) OF THE RULES GOVERNING THE CLAIMS RESOLUTION PROCESS AND AUTHORIZING PAYMENT FROM THE SETTLEMENT FUND

KORMAN, J.:

The CRT recommends the adjustment of 15 awards previously approved by the Court. All 15 Award Amendments in this set involve custody accounts held at the main branch of one of the two Settling Defendants. At the time that the original awards were made in these cases, the bank records available to the CRT did not contain information regarding the value of the awarded custody accounts. However, the bank recently made available to the CRT additional information regarding these accounts, including detailed documentation on the portfolios held in the accounts. In addition, the new information shows that one account awarded in a previous decision was closed prior to the date of occupation by or alliance with the Reich of the country of residence or origin of the account owner and thus should not have been awarded. The corresponding amendment in this set adjusts for the previous overpayment. In these Award Amendments, the CRT adopts and amends its findings set out in the previous awards based upon this additional information recently forwarded to the CRT by the bank. Additional amendments will be forthcoming as the CRT's analysis of the records proceeds.

¹ See, e.g., Memorandum & Order of August 11, 2008 ("Memorandum & Order Approving Set 170: 35 Award Amendments Certified by the Claims Resolution Tribunal Pursuant to Article 31(2) of the Rules Governing the Claims Resolution Process and Authorizing Payment from the Settlement Fund").

The 15 Award Amendments are listed in Annex A to this Order. This Court's approval of the resources to pay for increases in the award amount for these Award Amendments is sought. The total amount of these 15 Award Amendments is US \$3,188,973.30 (SF 3,507,870.63 converted at a rate of 1.10 Swiss Francs per U.S. Dollar). The CRT's recommendations are incorporated and adopted herein.

If the Court approves this one hundred and seventy-fourth set, a total of US \$510,187,396.83 will have been awarded thus far. This total amount is comprised of Awards issued under CRT I and CRT II combined, and Plausible Undocumented Awards (PUAs). Under CRT I alone, which took place from 1997 through 2000, 207 accounts, with a value of US \$18,184,492.00, were awarded as accounts that had belonged to Victims of Nazi Persecution. Under CRT II alone, 2,677 Awards for 4,255 accounts totaling US \$431,089,695.91² will have been made to date to Victims or Targets of Nazi Persecution making up the Deposited Assets Class. The total number of PUAs issued to date is 12,360 less 184 full and partial deductions. The total amount is \$60,913,208.92.

As set forth in the Award Amendments and as required by Article 31(3) of the Rules, the Certified Award Amendments shall be paid in full by the Special Masters after approval of such Award Amendments by the Court.

Therefore, it is hereby ORDERED that the attached 15 Award Amendments are hereby approved pursuant to Article 31(2) of the Rules; and

ORDERED that for the payment of these 15 Award Amendments certified by the CRT and hereby approved by the Court, the Signatories of the Settlement Fund are hereby directed to immediately transfer US \$3,188,973.30 from the Settlement Fund to the Swiss Banks Settlement-Dormant Accounts-Payment Account.

² This amount includes the payments of decisions on appeal issued by Special Masters Michael Bradfield and Helen Junz totaling US \$4,655,653.71. The number of accounts awarded has been adjusted downward by one to reflect the amendment in this set described above.

It is further ORDERED that the Special Masters shall provide the Court with the name and address of every class member receiving an Award Amendment, which information shall be filed

with the Court under seal.

I will issue additional orders approving Awards and Award Amendments certified by the

CRT and transferring further sums from the Settlement Fund as the CRT certifies them to this Court.

Dated:

Brooklyn, New York

September **24**2008

SO ORDERED:

s/Edward R. Korman

Edward R. Korman United States District Judge

CLAIMS RESOLUTION TRIBUNAL

[BATCH CLXXIV] - ANNEX A

Pursuant to Article 16 of the Rules Governing the Claims Resolution Tribunal, as amended, (the "Rules"), the Claims Resolution Tribunal hereby certifies as of 29 September 2008 the following Award Amendments for approval by the Court and payment by the Special Masters:

 Baer Bard Behr Eiser Feise Halb Herri Israel 	Josefine 202313/DE Siegmund 205189/WT Ach, Kurt 211116/WT Max 213908/DE Staedt, Alfred 218537/JG Inberger, Emmy 300335/WT	197,561.25 144,211.88
3. Bard 4. Behr 5. Eiser 6. Feise 7. Halb 8. Herri 9. Israel	ach, Kurt 211116/WT Max 213908/DE staedt, Alfred 218537/JG	259,643.75 197,561.25 144,211.88
4. Behr 5. Eiser 6. Feiser 7. Halb	Max 213908/DE staedt, Alfred 218537/JG	197,561.25 144,211.88
5. Eiser 6. Feise 7. Halb 8. Herri 9. Israel	staedt, Alfred 218537/JG	144,211.88
5. Feise 7. Halb 3. Herri 9. Israel		49,020.50
Feise Halbert Herri Israel		49,020,50
7. Halber. 3. Herri		
Herri Israel	erstadt, Julius 210844/DE; 217648/DE	387,953.00
Israel	nann, Otto 700651/WT; 732593/WT; 700661/WT	843,750.00
_ !	, Else 501549/WT	250,000.00
ITATURIT	us, Julius 223099/DE	1,597.50
		201,250.00
- 1011,	Otto 215866/WT	591,770.25
TKOBEI	berg, Selma 212615/JG, 213817/JG, 750789/JG	38,750.00
- 1	Friedrich 217895/DE	67,425.00
1	s, Edith 600048/DE	150,000.00
5. Tobia	s, Fritz 003774/DE; 003941/DE	
TOTA		150,000.00
Total	amount in US Dollars ³	3,507,870.63 \$3,188,973.30

 $^{^3}$ Exchange rate as of 29 September 2008 of 1.10 Swiss Francs per U.S. Dollar.